

#6
Rec'd PCT/PTO 19 MAR 2002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)
Jacobus Johannes M. MEYER et al.)
Serial No. 09/926,807)
Filed: December 21, 2001)
For: NAPHTHOQUINONE DERIVATIVES AND THEIR)
USE IN THE TREATMENT AND CONTROL OF)
TUBERCULOSIS)

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

Honorable Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) dated January 29, 2002, submitted herewith is an executed Declaration and Power of Attorney, Assignment and Assignment Recordation Cover Sheet and a copy of Notification of Missing Requirements along with the required fees. (Surcharge - \$130; and Assignment Recordation Fee - \$40.00).

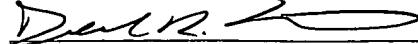
The above fees are covered by the attached check in the amount of \$170.00. Should there be any additional fees required for proper filing of the attached documents, please charge Deposit Account No. 19-2380 (742439-3). Prompt issuance of a corrected filing receipt is respectfully requested.

Respectfully submitted,

03/26/2002 MNNGUYEN 00000118 09926807

41 FC:154

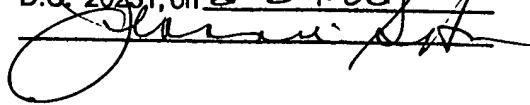
130.00 OP


Donald R. Studebaker

Reg. No. 32,815

Nixon Peabody LLP
8180 Greensboro Drive, Suite 800
McLean, Virginia 22102
(703) 790-9110

CERTIFICATE OF MAILING

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JC07 Rec'd PCT/PTO 19 MAR 2002

Please type a plus sign (+) inside this box → [+]

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

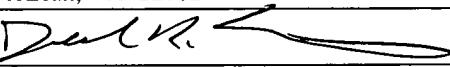
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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Application Number 09/926,807
		Filing Date December 21, 2001
		First Named Inventor Jacobus Johannes M. MEYER et al.
		Group Art Unit
		Examiner Name
Total Number of Pages in This Submission 1		Attorney Docket Number 742439-3

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input checked="" type="checkbox"/> Assignment Papers <i>(for an Application)</i>	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input checked="" type="checkbox"/> Other - International Search Report
<input type="checkbox"/> Amendment / Reply	<input checked="" type="checkbox"/> Declaration and Power of Attorney	
<input type="checkbox"/> After Final	<input type="checkbox"/> Licensing-related Papers	
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition	
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Petition to Convert to a Provisional Application	
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Request for Refund	
<input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application	<input type="checkbox"/> CD, Number of CD(s) _____	
<input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	Remarks	<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees required or credit any overpayments to Deposit Account No. 19-2380 for the above identified docket number.

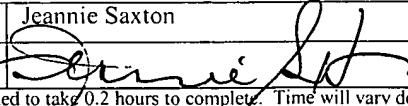
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Donald R. Studebaker, Reg. No. 32,815 Nixon Peabody LLP 8180 Greensboro Drive Suite 800 McLean, VA 22102
Signature	
Date	February 27, 2002

CERTIFICATE OF MAILING

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2-27-02

Type or printed name	Jeannie Saxton
Signature	

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

FEE TRANSMITTAL FOR FY 2002		Complete if Known																																																																																																																																																																					
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1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to: Deposit Account Number 19-2380 Deposit Account Name Nixon Peabody LLP <input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		3. ADDITIONAL FEES <table border="1"> <thead> <tr> <th>Fee Code</th> <th>Large Entity Fee (\$)</th> <th>Small Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>205</td><td>65 Surcharge – late filing fee or oath</td><td>\$130.00</td></tr> <tr><td>127</td><td>50</td><td>227</td><td>25 Surcharge – late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>139</td><td>130</td><td>139</td><td>130 Non-English transaction</td><td></td></tr> <tr><td>147</td><td>2,520</td><td>147</td><td>2,520 For filing a request for ex parte reexamination</td><td></td></tr> <tr><td>112</td><td>920*</td><td>112</td><td>920* Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>113</td><td>1,840*</td><td>113</td><td>1,840* Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>115</td><td>110</td><td>215</td><td>55 Extension for reply within first month</td><td></td></tr> <tr><td>116</td><td>400</td><td>216</td><td>200 Extension for reply within second month</td><td></td></tr> <tr><td>117</td><td>920</td><td>217</td><td>460 Extension for reply within third month</td><td></td></tr> <tr><td>118</td><td>1,440</td><td>218</td><td>720 Extension for reply within fourth month</td><td></td></tr> <tr><td>128</td><td>1,960</td><td>228</td><td>980 Extension for reply within fifth month</td><td></td></tr> <tr><td>119</td><td>320</td><td>219</td><td>160 Notice of Appeal</td><td></td></tr> <tr><td>120</td><td>320</td><td>220</td><td>160 Filing a brief in support of an appeal</td><td></td></tr> <tr><td>121</td><td>280</td><td>221</td><td>140 Request for oral hearing</td><td></td></tr> <tr><td>138</td><td>1,510</td><td>138</td><td>1,510 Petition to institute a public use proceeding</td><td></td></tr> <tr><td>140</td><td>110</td><td>240</td><td>55 Petition to revive – unavoidable</td><td></td></tr> <tr><td>141</td><td>1,280</td><td>241</td><td>640 Petition to revive – unintentional</td><td></td></tr> <tr><td>142</td><td>1,280</td><td>242</td><td>640 Utility issue fee (or reissue)</td><td></td></tr> <tr><td>143</td><td>460</td><td>243</td><td>230 Design issue fee</td><td></td></tr> <tr><td>144</td><td>620</td><td>244</td><td>310 Plant issue fee</td><td></td></tr> <tr><td>122</td><td>130</td><td>122</td><td>130 Petitions to the Commissioner</td><td></td></tr> <tr><td>123</td><td>50</td><td>123</td><td>50 Processing fee under 37 CR 1.17(q)</td><td></td></tr> <tr><td>126</td><td>180</td><td>126</td><td>180 Submission of Information Disclosure Stmt</td><td></td></tr> <tr><td>581</td><td>40</td><td>581</td><td>40 Recording each patent assignment per property (times number of properties)</td><td>\$40.00</td></tr> <tr><td>146</td><td>740</td><td>246</td><td>370 Filing a submission after final rejection (37 CFR § 1.129(a))</td><td></td></tr> <tr><td>149</td><td>740</td><td>249</td><td>370 For each additional invention to be examined (37 CFR § 1.129(b))</td><td></td></tr> <tr><td>179</td><td>740</td><td>279</td><td>370 Request for Continued Examination (RCE)</td><td></td></tr> <tr><td>169</td><td>900</td><td>169</td><td>900 Request for expedited examination of a design application</td><td></td></tr> <tr><td colspan="4">Other fee (specify) _____</td><td></td></tr> <tr> <td colspan="4">* Reduced by Basic Filing Fee Paid</td> <td>SUBTOTAL (3)</td> <td>(\$170.00)</td> </tr> <tr> <td colspan="6" style="text-align: center;">CERTIFICATE OF MAILING I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, Washington, DC 20231, on February 27, 2002. Signature: <i>Jeanne Saxon</i> Name: Jeanne Saxon</td> </tr> </tbody></table>				Fee Code	Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid	105	130	205	65 Surcharge – late filing fee or oath	\$130.00	127	50	227	25 Surcharge – late provisional filing fee or cover sheet		139	130	139	130 Non-English transaction		147	2,520	147	2,520 For filing a request for ex parte reexamination		112	920*	112	920* Requesting publication of SIR prior to Examiner action		113	1,840*	113	1,840* Requesting publication of SIR after Examiner action		115	110	215	55 Extension for reply within first month		116	400	216	200 Extension for reply within second month		117	920	217	460 Extension for reply within third month		118	1,440	218	720 Extension for reply within fourth month		128	1,960	228	980 Extension for reply within fifth month		119	320	219	160 Notice of Appeal		120	320	220	160 Filing a brief in support of an appeal		121	280	221	140 Request for oral hearing		138	1,510	138	1,510 Petition to institute a public use proceeding		140	110	240	55 Petition to revive – unavoidable		141	1,280	241	640 Petition to revive – unintentional		142	1,280	242	640 Utility issue fee (or reissue)		143	460	243	230 Design issue fee		144	620	244	310 Plant issue fee		122	130	122	130 Petitions to the Commissioner		123	50	123	50 Processing fee under 37 CR 1.17(q)		126	180	126	180 Submission of Information Disclosure Stmt		581	40	581	40 Recording each patent assignment per property (times number of properties)	\$40.00	146	740	246	370 Filing a submission after final rejection (37 CFR § 1.129(a))		149	740	249	370 For each additional invention to be examined (37 CFR § 1.129(b))		179	740	279	370 Request for Continued Examination (RCE)		169	900	169	900 Request for expedited examination of a design application		Other fee (specify) _____					* Reduced by Basic Filing Fee Paid				SUBTOTAL (3)	(\$170.00)	CERTIFICATE OF MAILING I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, Washington, DC 20231, on February 27, 2002. 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SUBMITTED BY																																																																																																																																																																							
Name (Print/Type)	Donald R. Studebaker		Registration No. (Attorney/Agent)	32,815	Telephone (703) 790-9110																																																																																																																																																																		
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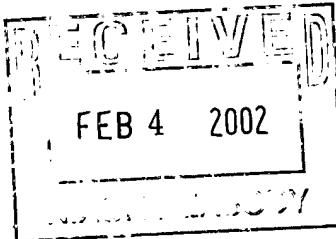


UNITED STATES PATENT AND TRADEMARK OFFICE



Commissioner for Patents, Box PCT
United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/926,807	Jacobus Johannes Marion Meyer	742439-3
INTERNATIONAL APPLICATION NO.		
PCT/IB00/00837		
IA. FILING DATE	PRIORITY DATE	
05/22/2000	06/24/1999	
CONFIRMATION NO. 4847		
371 FORMALITIES LETTER		
 OC000000007362256		



Date Mailed: 01/29/2002

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Priority Document
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Request for Immediate Examination

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than the appropriate 30 months months from the priority date (37 CFR 1.492(e)) is required.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

SUMMARY OF FEES DUE:

DOCKETED
 214102 By 11
 Nixon Peabody, LLP

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Late oath or declaration Surcharge.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

BARBARA A CAMPBELL

Telephone: (703) 305-3631

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
09/926,807	PCT/IB00/00837	742439-3